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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

MASUMI SATO ET AL

: EXAMINER: GRAINGER, Q.

SERIAL NO: 09/758,192

: GROUP ART UNIT: 2852

FILED: JANUARY 12, 2001

FOR: CHARGING ROLLER HAVING
ELASTIC MEMBER

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#22/Ref for because
Homo
4/10/03

REQUEST FOR RECONSIDERATION

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

In response to the Office Action dated January 30, 2003, Applicants request the reconsideration of the rejection of Claims 51 and 52 as being obvious over Japanese patent 6-242695 (Seii) in view of U.S. patent 5,146,280 (Kisu).

Claims 1-50 have been allowed. On the other hand, Claims 51 and 52 have been rejected under 35 U.S.C. § 103 as being obvious over the above references. The Examiner there recognized that Seii does not teach films wrapped around the elastic member corresponding to the opposite end portions of the core, but that this would have been obvious in view of Kisu. However, this rejection is respectfully traversed.

Claims 51 and 52 are directed to a **charging** roller, and recite a feature whereby films are wrapped around the charging roller at portions corresponding to large diameter opposite end portions of the core (see, e.g., Figure 16) in order to maintain the charging roller at a

fixed spacing from the photosensitive drum, and thereby to avoid abnormal discharge (see paragraph bridging pages 30 and 31).

Kisu is similarly directed to a **charging** roller. There, a core 2a is surrounded by an elastic member 2b, and is provided with spacer ring layers ("films") 2c for the purpose of maintaining the portion of the charging roller 2 between the spacer layers 2c out of contact with the photosensitive drum by a clearance corresponding to the thickness of the spacer ring layers 2c (column 3, lines 61-65).

On the other hand, Seii is directed to a **fixing** roller, *not a charging roller*. A fixing roller functions by evenly contacting and pressing the surface of a sheet onto which toner has been applied and is to be fixed. To this end, the outer layer 4a of the fixing roller 4 of Seii has a uniform outside diameter.

The Examiner has alleged that Kisu would have rendered it obvious for those skilled in the art to provide Seii with the spacer ring layers 2c of Kisu in order "to properly position the charging member with respect to the photosensitive member." However, this alleged motivation for modifying Seii is inconsistent with the functioning of the roller of Seii.

First, the rejection incorrectly refers to "the charging member of Seii." In fact, the roller 4 of Seii is *not a charging roller but is instead a fixing roller*, as is clearly evident from the abstract thereof.

As a result, those skilled in the art would not have found it obvious to provide the fixing roller of Seii with spacers "to properly position" the fixing roller. Since a fixing roller should have an even and constant pressing force, **which is antithetical to the use of spacing layers**, those skilled in the art would not have found it obvious to have provided the fixing roller of Seii with the spacer ring layers of Kisu, and so the outstanding rejection should be withdrawn.

Applicants therefore believe that the present application is in a condition for allowance and respectfully solicit an early notice of allowability.

Respectfully submitted,

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